

REMARKS

Applicant has carefully studied the outstanding Official Action mailed on July 5, 2007. This response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Claims 1-4 stand rejected under 35 USC §103(a) as being unpatentable over Rizescu et al.

Claims 5-20 stand rejected under 35 USC §103(a) as being unpatentable over Rizescu et al in view of Ettinger et al.

The rejections are respectfully traversed. The Examiner only states that Ettinger et al. “teach such a method for producing gamma rays for detecting material of interest”. However, it is respectfully pointed out that the Examiner has failed to show where Ettinger et al. in combination with Rizescu et al. teaches the subject matter of specific claims.

For example, there is no mention throughout Ettinger et al and Rizescu et al of the feature of original claim 7, namely, “wherein said DER system distinguishes a presence of a special nuclear material (SNM) as opposed to a benign, high-Z substance, based on a measurement of the density of the object to be inspected, as derived from said plurality of gamma ray detectors or detector arrays”. Ettinger et al and Rizescu et al never even measure the density.

As another example, it is respectfully pointed out that the Examiner has failed to show where the cited art shows the features of claims 6, 9 and 16-18. Indeed the cited art never mentions them.

Claims 1 and 5 have been amended by adding to them the recitation of claim 7. claim 7 has been cancelled. New claims 21-23 have been added and are also deemed patentable over the cited art. Claims 11-12 have been cancelled merely to reduce the number of claims. Accordingly, claims 1-6, 8-10 and 13-23 are deemed allowable.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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